

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,
Debtors.¹

PROMESA
Title III

No. 17 BK 3283-LTS

Re: ECF Nos. 9530; 9650

(Jointly Administered)

URGENT CONSENTED MOTION FOR EXTENSION OF DEADLINE

To the Honorable United States Magistrate Judge Judith Gail Dein:

The Commonwealth of Puerto Rico (the “Debtor”) respectfully submits this urgent consented motion for entry of an order, substantially in the form attached hereto as **Exhibit A** (the “Proposed Order”), extending the deadlines set forth in the *Joint Motion in Compliance with Order [ECF No. 9530] Providing the Required Status Report* [ECF No. 9650] (the “Joint Motion”).²

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3283- LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17- BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5233-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

² The Financial Oversight and Management Board for Puerto Rico, as the Debtor’s representative pursuant to section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act* (“PROMESA”), has authorized the Department of Justice to file this Urgent Motion on behalf of the Commonwealth.

Request for Relief

1. On December 26, 2019, Cuerpo Organizado de la Policia, Inc. (“Movant” and with the Debtor, the “Parties”) and the Debtor filed the Joint Motion [ECF No. 9650], detailing that by January 31, 2020, the Debtor would produce the documentation requested by Movant pursuant to Bankruptcy Rule 2004, in light of the scope set forth in the *Memorandum of Decision and Order Regarding COPI’s Rule 2004 Request* (the “Order”) [ECF No. 9530].

2. Similarly, in the Joint Motion, the Parties informed that by January 31, 2020, they would notify the Court jointly that the Debtor provided all the documentation requested per the Order [ECF No. 9530] and agreements reached by the parties [ECF No. 9650].

3. On January 31, 2020, the Debtor produced multiple documents containing the information requested by Movant regarding the Police Officers that did not sign waivers.

4. However, since the documentation requested by Movant is voluminous, the Parties have agreed to request a brief extension of time, to and including February 14, 2020, to complete the production of documents. The brief extension will also provide sufficient time for Movant to examine the documentation produced and for the Debtor to address any objections regarding the production of documents.

5. Accordingly, the Debtor, with Movant’s consent, proposes the following extension of the deadline to notify the Court of its compliance with Movant’s Bankruptcy Rule 2004 request, as set forth in the Motion [ECF No. 9650]:

- The deadline to jointly inform the Court of Debtor’s compliance with Movant’s Bankruptcy Rule 2004 motion is **February 14, 2020**.

6. Pursuant to Paragraph 1.H of the *Tenth Amended Notice, Case Management and Administrative Procedures* [ECF No. 8027-1] (the “Case Management Procedures”), the Debtor hereby certifies that it has carefully examined the matter and concluded that there is a true need for an urgent motion; it has not created the urgency through any lack of due diligence; has made a bona fide effort to resolve the matter without a hearing; has made reasonable, good-faith communications in an effort to resolve or narrow the issues that are being brought to the Court, and no party opposes the relief requested herein.

Notice

7. The Debtor has provided notice of this motion in accordance with the Case Management Procedures to the following parties: (a) the Office of the United States Trustee for the District of Puerto Rico; (b) the indenture trustees and/or agents, as applicable, for the Debtors’ bonds; (c) the entities on the list of creditors holding the 20 largest unsecured claims against COFINA; (d) counsel to the statutory committees appointed in these Title III cases; (e) the Office of the United States Attorney for the District of Puerto Rico; (f) counsel to the Oversight Board; (g) the Puerto Rico Department of Justice; (h) the Other Interested Parties;³ (i) all parties filing a notice of appearance in these Title III cases; and (j) Movant. A copy of the motion is also available on the Debtors’ case website at <https://cases.primeclerk.com/puertorico/>.

8. The Debtor submits that, in light of the nature of the relief requested, no other or further notice need be given.

WHEREFORE, the Debtor requests the Court enter the Proposed Order and grant such other relief as is just and proper.

³ The “Other Interested Parties” include the following: (i) counsel to certain of the insurers and trustees of the bonds issued or guaranteed by the Debtors; and (ii) counsel to certain ad hoc groups of holders of bonds issued or guaranteed by the Debtors.

Dated: January 31, 2020
San Juan, Puerto Rico

Respectfully submitted,

DENNISE N. LONGO-QUIÑONES
Secretary of Justice

WANDYMAR BURGOS-VARGAS
Deputy Secretary in Charge of Litigation

SUSANA I. PEÑAGARÍCANO-BROWN
Director of Legal Affairs
Federal Litigation and Bankruptcy Division

/s/ Juan C. Ramírez-Ortiz
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Exhibit A

Proposed Order